

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MCLEODUSA TELECOMMUNICATIONS SERVICES, INC., Complainant, v. U S WEST COMMUNICATIONS, INC., Respondent.	DOCKET NO. FCU-99-5
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**ORDER CANCELING HEARING AND
REVISING BRIEFING SCHEDULE**

(Issued January 10, 2000)

On November 23, 1999, McLeodUSA Telecommunications Services, Inc. (McLeod), filed a complaint against U S WEST Communications, Inc. (U S West). McLeod's complaint was filed pursuant to IOWA CODE §§ 476.100 and 476.101 (1999), 47 U.S.C. § 251, and 47 C.F.R. § 51.603. McLeod alleges U S West is engaging in certain prohibited and anticompetitive acts in violation of those statutes and regulations, as well as the interconnection agreement between McLeod and U S West.

On December 6, 1999, the Utilities Board (Board) issued an order docketing McLeod's complaint as Docket No. FCU-99-5 and setting a procedural schedule.

Pursuant to that schedule, McLeod filed prepared direct testimony on December 17, 1999, and U S West filed rebuttal testimony on December 29, 1999.

A hearing for the purpose of receiving testimony and cross-examination of all testimony is scheduled for January 12, 2000, but the Board has been informed by counsel for McLeod, U S West, and the Consumer Advocate Division of the Department of Justice (Consumer Advocate) that the parties agree to include the prefiled direct testimony in the record and to waive cross-examination of that testimony. This makes the hearing unnecessary, and the parties agree that the hearing may be canceled and they will proceed directly to briefing the issues.

Given that the hearing is canceled, the Board and the parties believe it would be helpful to have initial and reply briefs, rather than only initial briefs, as currently scheduled. Accordingly, the Board will revise the briefing schedule to include simultaneous initial briefs on January 21, 2000, and simultaneous reply briefs on January 28, 2000.

IT IS THEREFORE ORDERED:

1. The hearing scheduled in this docket for January 12, 2000, is canceled.
2. The following schedule is established for the remainder of this proceeding:
 - a. All parties may file initial briefs on or before January 21, 2000.
 - b. All parties may file reply briefs on or before January 28, 2000.

All briefs shall be served on other parties by facsimile transfer or by electronic mail on the day they are filed with the Board.

3. All other aspects of the Board's "Order Docketing Complaint and Establishing Procedural Schedule," issued in this docket on December 6, 1999, remain unchanged.

UTILITIES BOARD

/s/ Allan T. Thoms

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 10th day of January, 2000.